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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Danishefsky *et al.*  
Serial No.: 09/808,451  
Filed: March 13, 2001  
For:

Examiner: Solola, T.  
Group Art Unit: 1626

*Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof*

Assistant Commissioner for Patents  
Washington, DC 20231

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Sir:

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

In response to the Official Action mailed January 6, 2003, Applicant respectfully requests consideration of the following amendments and remarks. The deadline for responding to this Office Action without fees is April 6, 2003; thus, the response submitted on **April 3, 2003**, is timely filed.

Remarks

Claims 1 and 59-150 are pending in the above-referenced application. The Examiner has rejected claims 1 and 59-150 under 35 U.S.C. § 112, first and second paragraphs. The Examiner has also rejected claims 1, 59-61, and 63-66 under 35 U.S.C. § 101 for double patenting, and has rejected claims 1 and 59-150 under the judicially created doctrine of obviousness-type double patenting. With this response Applicant has amended claims 1, 64, 81, 87, 110, and 116. Applicant respectfully submits that no new matter is presented with these amendments or additions. Furthermore, Applicant reserves the right to prosecute without prejudice in a future application subject matter canceled or amended from the claims by the Amendment submitted herewith. Applicant respectfully requests consideration of the amendments and arguments presented herein, and respectfully submits that claims 1 and 59-150 are in condition for allowance.

B.